

### **REMARKS/ARGUMENTS**

Claims 1-2, 6 and 8 are pending and are finally rejected. Applicants have amended claims 1 and 6 and added new claims 14-15. Applicants respectfully request reconsideration and allowance of the claims in view of the amendment and the following arguments.

Claim 6 stands rejected under 35 U.S.C. § 112, first paragraph (written description) for the reasons set forth on page 2 of the Office action. While not acquiescing to the Patent Office's position, and simply in an effort to expedite the prosecution of the instant application, Applicants have amended claim 6, rendering the rejection moot.

Claims 1-2, 6 and 8 stand rejected under 35 U.S.C. § 103(a) over Schmitt *et al.* (U.S. 2007/0066798) in view of Achilefu *et al.* (US 2005/0271592) for the reasons set forth on pages 4-6 of the Office action. Applicants respectfully disagree.

Applicants submit that both cited references have filing dates after the priority date of the present application (December 18, 2003). Applicants note, however, that the references stem from earlier filed applications (e.g., Schmitt is a divisional application of US 7,157,238, while Achilefu claims to be a CIP application of a number of prior applications). In so far as the Examiner intends to formulate the rejection based on some of the parent applications, Applicants provide the following arguments.

While not acquiescing to the Patent Office's position, and simply in an effort to expedite the prosecution of the instant application, Applicants have removed urokinase receptor from the vector moieties. Applicants have amended claim 1 to require that the molecular weight of V is below 10,000 Daltons and V is not an antibody. Applicants have

also added two new claims where the molecular weight of V is below 4500 Daltons, or 2500 Daltons, respectfully. Support for these amendments can be found in the application, see page 9, lines 11-24 of the PCT application (WO 2005/058372). No new matter is introduced.

Applicants submit that the claim amendments obviate the 35 U.S.C. §103(a) rejection.

Claims 1-2, 6 and 8 stand provisionally rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims of co-pending applications 10/573,606 and 10/582,893.

In response, since no claims in the instant application or in the '606 or '893 applications have yet been held allowable, Applicants respectfully ask the Patent Office to hold this rejection in abeyance until the claims in the instant application have been agreed to be otherwise allowable.

In view of the foregoing, it is believed that this application is now in condition for allowance, and a Notice of Allowance thereof is respectfully requested.

Respectfully submitted,

/Yonggang Ji/  
Yonggang Ji  
Reg. No. 53,073  
Agent for Applicants

GE Healthcare, Inc.  
101 Carnegie Center  
Princeton, NJ 08540

T: (609) 514-6371  
F: (609) 514-6572